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CONFERENCE OF THE PARTIES
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Agenda items 4 and 7

REVIEW OF THE IMPLEMENTATION OF COMMITMENTS AND OF OTHER PROVISIONS OF THE CONVENTION

PREPARATION FOR THE FIRST SESSION OF THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE KYOTO PROTOCOL (DECISION 8/CP.4)

Consolidated negotiating text proposed by the President

Addendum

DECISIONS CONCERNING PROCEDURES AND MECHANISMS RELATING TO COMPLIANCE UNDER THE KYOTO PROTOCOL

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Draft decision -/CP.6

Adoption of the Agreement on procedures and mechanisms on compliance supplementing the Kyoto Protocol to the United Nations Framework Convention on Climate Change

The Conference of the Parties,

Recalling its decisions 8/CP.4 and 15/CP.5,

Noting with appreciation the work done by the Joint Working Group on Compliance on the development of procedures and mechanisms on compliance under the Kyoto Protocol to the United Nations Framework Convention on Climate Change (hereinafter referred to as "the Protocol"),

Recognizing the need to prepare for the early entry into force of the Protocol,

1. *Decides* to adopt the Agreement on procedures and mechanisms on compliance supplementing the Kyoto Protocol to the United Nations Framework on Climate Change (hereinafter referred to as "the Agreement"), annexed hereto;

2. *Requests* the Secretary-General of the United Nations to be the Depositary of the Agreement and to open it for signature at United Nations Headquarters in New York from 15 October 2001 until 14 October 2002;

3. *Invites* all Parties to the United Nations Framework Convention on Climate Change to sign the Agreement at the earliest opportunity, and to take all necessary steps to become Parties to the Agreement;

4. *Recommends* that the Conference of the Parties serving as the meeting of the Parties to the Protocol adopt the following decision at its first session:

Draft decision -/CMP. 1

Matters relating to commitments for the second commitment period

The Conference of the Parties serving as the meeting of the Parties to the Protocol,

Recalling Article 3 of the Protocol,

Having considered decision -/CP.6 adopted by the Conference of the Parties at the second part of its sixth session,

1. *Decides:*

(a) That the amendment referred to in Article 3, paragraph 9, of the Protocol relating to commitments for Parties included in Annex I shall include a requirement that no State or regional economic integration organization may deposit an instrument of acceptance in respect of such amendment, unless it has previously deposited, or simultaneously deposits, an instrument of acceptance of the Agreement on procedures and mechanisms on compliance supplementing the Kyoto Protocol to the United Nations Framework Convention on Climate Change; and

(b) That the amendment referred to in Article 3, paragraph 9, of the Protocol relating to the second commitment period for Parties included in Annex I shall be adopted before 1 January 2008.

ANNEX

Agreement on procedures and mechanisms on compliance supplementing the Kyoto Protocol to the United Nations Framework Convention on Climate Change

The Parties to this Agreement,

Being Parties to the United Nations Framework Convention on Climate Change, hereinafter referred to as "the Convention",

In pursuit of the ultimate objective of the Convention as stated in its Article 2,

Recalling the provisions of the Convention and the Kyoto Protocol to the United Nations Framework Convention on Climate Change,

Being guided by Article 3 of the Convention,

Pursuant to the mandate adopted by decision 8/CP.4 of the Conference of the Parties to the Convention at its fourth session,

Have agreed as follows:

ARTICLE 1

OBJECTIVE[1]

The objective of this Agreement is to facilitate, promote and enforce compliance with the commitments under the Kyoto Protocol to the United Nations Framework Convention on Climate Change, hereinafter referred to as "the Protocol", as specified in this Agreement.

ARTICLE 2

COMPLIANCE COMMITTEE

1. A compliance committee, hereinafter referred to as "the Committee", is hereby established.

2. The Committee shall function through a plenary, a bureau and two branches, namely, the facilitative branch and the enforcement branch.

3. The Committee shall consist of twenty members elected by the Conference of the Parties serving as the meeting of the Parties to the Protocol, ten of whom to be elected to serve in the facilitative branch and ten to be elected to serve in the enforcement branch.

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[1] Titles of articles are included solely for ease of reference.

4. Each branch shall elect, from amongst its members and for a term of two years, a chairperson and a vice-chairperson. These persons shall constitute the bureau of the Committee. The chairmanship of the branch shall rotate between Parties included in Annex I and Parties not included in Annex I.

5. For each member of the Committee the Conference of the Parties serving as the meeting of the Parties to the Protocol shall elect an alternate member.

6. Members of the Committee and their alternates shall serve in their individual capacities. They shall have recognized competence relating to climate change and in relevant fields such as the scientific, technical, socio-economic or legal fields.

7. The facilitative branch and the enforcement branch shall interact and cooperate in their functioning and, as necessary, on a case-by-case basis, the bureau of the Committee may designate one or more members of one branch to contribute to the work of the other branch on a non-voting basis.

8. The adoption of decisions by the Committee shall require a quorum of at least three quarters of the members to be present.

9. The Committee shall make every effort to reach agreement on any decisions by consensus. If all efforts at reaching consensus have been exhausted, the decisions shall as a last resort be adopted by a majority of at least three quarters of the members present and voting. In addition, the adoption of decisions by the enforcement branch shall require a majority of members from Parties included in Annex I present and voting, as well as a majority of members from Parties not included in Annex I present and voting. "Members present and voting" means members present and casting an affirmative or a negative vote.

10. The Committee shall, unless it decides otherwise, meet at least twice each year, taking notice of the desirability of holding such meetings in conjunction with the meetings of the subsidiary bodies under the Convention.

11. The Committee shall take into account any degree of flexibility provided by the Conference of the Parties serving as the meeting of the Parties to the Protocol, pursuant to Article 3, paragraph 6, of the Protocol and taking into account Article 4, paragraph 6, of the Convention, to the Parties included in Annex I undergoing the process of transition to a market economy.

ARTICLE 3

PLENARY OF THE COMMITTEE

1. The plenary shall consist of the members of the facilitative branch and the enforcement branch. The chairperson of each branch shall be co-chairpersons of the plenary.

2. The functions of the plenary shall be:

(a) To report on all its activities, including a list of decisions taken by the branches, to each ordinary session of the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(b) To apply the guidance received from the Conference of the Parties serving as the meeting of the Parties to the Protocol;

(c) To submit proposals on administrative and budgetary matters to the Conference of the Parties serving as the meeting of the Parties to the Protocol for the effective functioning of the Committee;

(d) To develop further rules of procedure, including rules on confidentiality, conflict of interest, submission of information by intergovernmental and non-governmental organizations and translation, for adoption by the Conference of the Parties serving as the meeting of the Parties to the Protocol by consensus; and

(e) To perform such other functions as may be requested by the Conference of the Parties serving as the meeting of the Parties to the Protocol for the effective functioning of the Committee.

ARTICLE 4

FACILITATIVE BRANCH

1. The facilitative branch shall be composed of:

(a) One member from each of the five regional groups of the United Nations and one member from the small island developing States, taking into account the interest groups as reflected by the current practice of the bureau of the Convention;

(b) Two members from Parties included in Annex I; and

(c) Two members from Parties not included in Annex I.

2. The Conference of the Parties serving as the meeting of the Parties to the Protocol shall elect five members for a term of two years and five members for a term of four years. Each time thereafter, the Conference of the Parties serving as the meeting of the Parties to the Protocol shall elect five new members for a term of four years. Members shall not serve for more than two consecutive terms.

3. The membership of the facilitative branch shall reflect in a balanced manner competence in the fields referred to in Article 2, paragraph 6.

4. The facilitative branch shall be responsible for providing advice and facilitation to Parties in implementing the Protocol, and for promoting compliance of Parties with their commitments under the Protocol, depending on circumstances pertaining to the question before it and taking into account Parties' common but differentiated responsibilities and respective capabilities.

5. The facilitative branch shall be responsible for applying the consequences set out in Article 13.

ARTICLE 5

ENFORCEMENT BRANCH

1. The enforcement branch shall be composed of:

(a) One member from each of the five regional groups of the United Nations and one member from the small island developing States, taking into account the interest groups as reflected by the current practice of the bureau of the Convention;

(b) Two members from Parties included in Annex I; and

(c) Two members from Parties not included in Annex I.

2. The Conference of the Parties serving as the meeting of the Parties to the Protocol shall elect five members for a term of two years and five members for a term of four years. Each time thereafter, the Conference of the Parties serving as the meeting of the Parties to the Protocol shall elect five new members for a term of four years. Members shall not serve for more than two consecutive terms.

3. The members of the enforcement branch shall have legal experience.

4. The enforcement branch shall be responsible for determining whether a Party included in Annex I is:

(a) Not in compliance with commitments under Article 3, paragraph 1, of the Protocol;

(b) Not in compliance with commitments under Article 5, paragraphs 1 and 2, of the Protocol;

(c) Not in compliance with commitments under Article 7, paragraph 1, of the Protocol; and

(d) Not meeting eligibility requirements under Articles 6, 12 and 17 of the Protocol.

5. The enforcement branch shall:

(a) Determine whether to apply adjustments to inventories under Article 5, paragraph 2, of the Protocol, in the event of a disagreement between an expert review team under Article 8 of the Protocol and the Party involved; and

(b) Resolve questions of implementation relating to Article 7, paragraph 4, of the Protocol.

6. The enforcement branch shall be responsible for applying the consequences set out in Article 14.

ARTICLE 6

SUBMISSIONS

1. The Committee shall receive, through the secretariat, questions of implementation indicated in reports of expert review teams under Article 8 of the Protocol, or submitted by:

(a) Any Party with respect to itself; or

(b) Any Party with respect to another Party, supported by corroborating information.

2. The secretariat shall forthwith make available to the Party in respect of which the question of implementation is raised, hereinafter referred to as "the Party concerned", any question of implementation submitted under paragraph 1 above.

3. In addition to the reports referred to in paragraph 1 above, the Committee shall also receive, through the secretariat, other final reports of expert review teams.

ARTICLE 7

ALLOCATION AND PRELIMINARY EXAMINATION

1. The bureau of the Committee shall allocate questions of implementation to the appropriate branch in accordance with the mandates of each branch set out in Article 4, paragraphs 4 and 5, and Article 5, paragraphs 4, 5 and 6.

2. The relevant branch shall undertake preliminary examination of questions of implementation to ensure that, except in the case of a question raised by a Party with respect to itself, the question before it:

(a) Is supported by sufficient information;

(b) Is not *de minimis* or ill-founded; and

(c) Is based on the requirements of the Protocol.

3. The preliminary examination of questions of implementation shall be completed within three weeks.

4. After the preliminary examination of questions of implementation, the Party concerned shall, through the secretariat, be notified in writing of the decision and, in the event of a decision to proceed, be provided with a statement identifying the question of implementation, the information on which the question is based and the branch that will consider the question.

5. In the event of the review of eligibility requirements for a Party under Articles 6, 12 and 17 of the Protocol, the enforcement branch shall also, through the secretariat, notify the Party concerned in writing of the decision not to proceed with questions of implementation relating to eligibility requirements under those articles.

6. Any decision not to proceed shall be made available by the secretariat to other Parties and to the public.

7. The Party concerned shall be given an opportunity to comment in writing on all information relevant to the question of implementation and the decision to proceed.

ARTICLE 8

GENERAL PROCEDURES

1. Following the preliminary examination of questions of implementation, the procedures set out in this article shall apply to the Committee, except where otherwise provided in this Agreement.

2. The Party concerned shall be entitled to designate one or more persons to represent it during the consideration of the question of implementation by the relevant branch. The Party concerned shall not participate in the elaboration and adoption of a decision of the branch.

3. Each branch shall base its deliberations on any relevant information provided by:

(a) Reports of the expert review teams under Article 8 of the Protocol;

(b) The Party concerned;

(c) The Party that has submitted a question of implementation with respect to another Party;

(d) Reports of the Conference of the Parties, the Conference of the Parties serving as the meeting of the Parties to the Protocol, and the subsidiary bodies under the Convention and the Protocol; and

(e) The other branch.

4. Competent intergovernmental and non-governmental organizations may submit relevant factual and technical information to the relevant branch.

5. Each branch may seek expert advice.

6. Any information considered by the relevant branch shall be made available to the Party concerned and, subject to any rules relating to confidentiality, to the public. The branch shall indicate to the Party concerned which of this information it has considered. The Party concerned shall be given an opportunity to comment in writing on such information.

7. The relevant branch shall forthwith, through the secretariat, notify the Party concerned in writing of its decision, including conclusions and reasons therefor. The secretariat shall make the decisions available to other Parties and to the public.

8. The Party concerned shall be given an opportunity to comment in writing on any decision of the relevant branch.

9. Any question of implementation submitted under Article 6, paragraph 1, any notification under Article 7, paragraph 4, any information under paragraph 3 above, any decision of the

relevant branch, including conclusions and reasons therefor, shall be translated into one of the six official languages of the United Nations, if the Party concerned so requests.

ARTICLE 9

PROCEDURES FOR THE ENFORCEMENT BRANCH

1. Within ten weeks from the receipt of the notification under Article 7, paragraph 4, the Party concerned may make a written submission to the enforcement branch, including rebuttal of information submitted to the branch.

2. If so requested in writing by the Party concerned within ten weeks from the receipt of the notification under Article 7, paragraph 4, the enforcement branch shall hold a hearing at which the Party concerned shall have the opportunity to present its views. The hearing shall take place within four weeks from the receipt of the request or of the written submission under paragraph 1 above, whichever is the later. The Party concerned may present expert testimony or opinion at the hearing. Such a hearing shall be held in public, unless the enforcement branch decides that part or all of the hearing shall take place in private.

3. The enforcement branch may put questions to and seek clarification from the Party concerned, either in the course of such a hearing or at any time in writing, and the Party concerned shall provide a response within six weeks thereafter.

4. Within four weeks from the receipt of the written submission of the Party concerned under paragraph 1 above, or within four weeks from the date of any hearing pursuant to paragraph 2 above, or within fourteen weeks from the notification under Article 7, paragraph 4, if the Party has not provided a written submission, whichever is the latest, the enforcement branch shall:

(a) Adopt a preliminary finding that the Party concerned is not in compliance with commitments under the articles of the Protocol referred to in Article 5, paragraph 4; or

(b) Otherwise determine not to proceed further with the question.

5. The preliminary finding, or the decision not to proceed, shall include conclusions and reasons therefor.

6. The enforcement branch shall forthwith, through the secretariat, notify the Party concerned in writing of its preliminary finding or decision not to proceed. The secretariat shall make the decision not to proceed available to the other Parties and to the public.

7. Within ten weeks from the receipt of the notification of the preliminary finding, the Party concerned may provide a further written submission to the enforcement branch. If the Party concerned does not do so within that period of time, the enforcement branch shall adopt a final decision confirming its preliminary finding.

8. If the Party concerned provides a further written submission, the enforcement branch shall, within four weeks from the date it received the further submission, consider it and adopt a

final decision, indicating whether the preliminary finding, as a whole or any part of it to be specified, is confirmed.

9. The final decision shall include conclusions and reasons therefor.

10. The enforcement branch shall forthwith, through the secretariat, notify the Party concerned in writing, of its final decision. The secretariat shall make the final decision available to the other Parties and to the public.

11. The enforcement branch, when the circumstances of an individual case so warrant, may extend any time frames provided for in this article.

12. Where appropriate, the enforcement branch may, at any time, refer a question of implementation to the facilitative branch for consideration.

ARTICLE 10

EXPEDITED PROCEDURES FOR THE ENFORCEMENT BRANCH

1. Where a question of implementation relates to eligibility requirements under Articles 6, 12 and 17 of the Protocol, Articles 7 to 9 shall apply, except that:

(a) The preliminary examination referred to in Article 7, paragraph 2, shall be completed within two weeks;

(b) The Party concerned may make a written submission within four weeks from the receipt of the notification under Article 7, paragraph 4;

(c) If so requested in writing by the Party concerned within two weeks from the receipt of the notification under Article 7, paragraph 4, the enforcement branch shall hold a hearing as referred to in Article 9, paragraph 2, that shall take place within two weeks from the receipt of the request or of the written submission under subparagraph (b) above, whichever is the later;

(d) The enforcement branch shall adopt its preliminary finding or decision not to proceed within six weeks from the receipt of the notification under Article 7, paragraph 4, or within two weeks of a hearing under Article 9, paragraph 2, whichever is the shorter;

(e) The Party concerned may make a written submission within four weeks from the receipt of the notification referred to in Article 9, paragraph 6;

(f) The enforcement branch shall issue its final decision within two weeks from the receipt of any submission referred to in Article 9, paragraph 7; and

(g) The periods of time stipulated in Article 9 shall apply only to the extent that they do not interfere with the adoption of decisions in accordance with subparagraphs (d) and (f) above.

2. Where a Party's eligibility under Articles 6, 12 and 17 of the Protocol has been suspended and if the Party concerned requests the enforcement branch to reinstate its eligibility, the enforcement branch shall decide on such a request as soon as possible.

3. In the event of a disagreement whether to apply an adjustment to inventories under Article 5, paragraph 2, of the Protocol or questions of implementation relating to Article 7, paragraph 4, of the Protocol, the enforcement branch shall decide the matter within twelve weeks of being informed in writing of such disagreement or question of implementation. In doing so, the enforcement branch may seek expert advice.

ARTICLE 11

RELATIONSHIP BETWEEN THE CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO THE PROTOCOL AND THE COMPLIANCE COMMITTEE

1. The Conference of the Parties serving as the meeting of the Parties to the Protocol shall:

(a) Consider the reports of the plenary on the progress of its work;

(b) Provide general policy guidance, including on any issues regarding implementation that may have implications for the work of the subsidiary bodies under the Protocol; and

(c) Adopt decisions on proposals on administrative and budgetary matters.

ARTICLE 12

ADDITIONAL PERIOD FOR FULFILLING COMMITMENTS

For the purpose of fulfilling commitments under Article 3, paragraph 1, of the Protocol, a Party may, within one month after the date set by the Conference of the Parties serving as the meeting of the Parties to the Protocol for the completion of the expert review process for the last year of the commitment period, continue to acquire, and other Parties may transfer to such Party, emission reduction units, certified emission reductions and assigned amount units under Articles 6, 12 and 17 of the Protocol, respectively from the preceding commitment period, provided the eligibility of any such Party has not been suspended in accordance with Article 14, paragraph 4.

ARTICLE 13

CONSEQUENCES APPLIED BY THE FACILITATIVE BRANCH

1. The facilitative branch shall decide on the application of one or more of the following consequences:

(a) Provision of advice and facilitation of assistance to individual Parties regarding the implementation of the Protocol;

(b) Facilitation of financial and technical assistance, including technology transfer and capacity-building, taking into account Article 4, paragraphs 3, 4 and 5, of the Convention; and

(c) Formulation of recommendations to the Party concerned, taking into account Article 4, paragraph 7, of the Convention.

ARTICLE 14

CONSEQUENCES APPLIED BY THE ENFORCEMENT BRANCH

1. Where the enforcement branch has determined that a Party is not in compliance with Article 5, paragraph 1 or 2, or Article 7, paragraph 1, of the Protocol, it shall apply the following consequences, taking into account the cause, type, degree and frequency of the non-compliance of that Party:

(a) Declaration of non-compliance; and

(b) Development of a plan in accordance with paragraphs 2 and 3 below.

2. The Party not in compliance under paragraph 1 above, shall, within three months after the determination of non-compliance or such other period that the enforcement branch considers appropriate, submit to the enforcement branch for review and assessment a plan that includes:

(a) An analysis of the causes of non-compliance of the Party;

(b) Measures that the Party intends to implement in order to remedy the non-compliance; and

(c) A timetable for implementing such measures within a time frame not exceeding twelve months which enables the assessment of progress in the implementation.

3. The Party not in compliance under paragraph 1 above, shall submit to the enforcement branch progress reports on the implementation of the plan on a quarterly basis. On the basis of such progress reports, the enforcement branch may decide on the application of further consequences, as appropriate.

4. Where the enforcement branch has determined that a Party does not meet any eligibility requirements under Articles 6, 12 and 17 of the Protocol, it shall suspend the eligibility of that Party in accordance with relevant provisions under those articles, until the enforcement branch decides to reinstate the eligibility of such a Party.

5. Where the enforcement branch has determined that the emissions of a Party, following the period referred to in Article 12, have exceeded its assigned amount, calculated pursuant to its quantified emission limitation or reduction commitment inscribed in Annex B to the Protocol and in accordance with the provisions of Article 3 of the Protocol as well as the modalities for the accounting of assigned amounts under Article 7, paragraph 4, of the Protocol, it shall declare that that Party is not in compliance with commitments under Article 3, paragraph 1, of the Protocol, and apply the following consequences:

(a) Deduction from the Party's assigned amount of the subsequent commitment period of a number of tonnes equal to:

(i) 1.1 times the amount in tonnes of excess emissions if the Party concerned has exceeded its assigned amount by less than 1 per cent; or

(ii) 1.5 times the amount in tonnes of excess emissions if the Party concerned has exceeded its assigned amount by 1 per cent or more, but by less than 8 per cent; or

(iii) 2.0 times the amount in tonnes of excess emissions if the Party concerned has exceeded its assigned amount by 8 per cent or more; and

(b) Development of a compliance action plan in accordance with paragraphs 6 and 7 below; and

(c) Suspension of the eligibility to transfer assigned amount units under Article 17 of the Protocol until the Party has demonstrated to the enforcement branch that it will meet its quantified emission limitation or reduction commitment in the subsequent commitment period.

6. The Party not in compliance under paragraph 5 above, shall, within three months after the determination of non-compliance or such other period that the enforcement branch considers appropriate, submit to the enforcement branch for review and assessment a compliance action plan that includes:

(a) An analysis of the causes of the non-compliance of the Party;

(b) Action that the Party intends to implement in order to meet its quantified emission limitation or reduction commitment in the subsequent commitment period giving priority to domestic policies and measures; and

(c) A timetable for implementing such action within a time frame not exceeding three years, or such other earlier period that the enforcement branch considers appropriate, which enables the assessment of annual progress in the implementation.

7. The Party not in compliance under paragraph 5 above, shall submit to the enforcement branch a progress report on the implementation of the compliance action plan on an annual basis.

ARTICLE 15

RELATIONSHIP BETWEEN THE AGREEMENT AND THE PROTOCOL

1. The provisions of this Agreement and the Protocol shall be interpreted and applied together as a single instrument. In the event of any inconsistency between this Agreement and the Protocol, the provisions of this Agreement shall prevail.

2. The procedures and mechanisms on compliance shall operate without prejudice to Articles 16 and 19 of the Protocol.

3. The proposal, adoption and entry into force of amendments to this Agreement shall be subject to Article 20 of the Protocol, except for amendments to Articles 7 to 10, which shall be subject to Article 21 of the Protocol.

ARTICLE 16

SECRETARIAT

The secretariat referred to in Article 14 of the Protocol shall serve as the secretariat of the Committee.

ARTICLE 17

SIGNATURE

This Agreement shall be open for signature at United Nations Headquarters in New York from 15 October 2001 to 14 October 2002 by States and regional economic integration organizations that are Parties to the Convention.

ARTICLE 18

CONSENT TO BE BOUND

1. No State or regional economic integration organization may establish its consent to be bound by this Agreement, unless it has previously established or establishes at the same time its consent to be bound by the Protocol.

2. A State or regional economic integration organization may express its consent to be bound by this Agreement by:

(a) Signature subject to the procedure set out in paragraph 3 below;

(b) Signature subject to the procedure set out in paragraph 4 below;

(c) Signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(d) Accession.

3. After the adoption of this Agreement, any instrument of ratification, acceptance, approval or accession to the Protocol deposited shall also represent consent to be bound by this Agreement.

4. A State or regional economic integration organization which has deposited before the date of the adoption of this Agreement an instrument of ratification, acceptance, approval or accession to the Protocol and which has signed this Agreement in accordance with paragraph 2 (b) above, shall be considered to have established its consent to be bound by this Agreement twelve months after the date of its adoption, unless that State or regional economic integration organization notifies the Depositary in writing before that date that it is not availing itself of the simplified procedure set out in this paragraph.

5. In the event of the notification referred to in paragraph 4 above, consent to be bound by this Agreement shall be established in accordance with paragraph 2 (c) above.

ARTICLE 19

ENTRY INTO FORCE

This Agreement shall enter into force on the date on which the Protocol enters into force.

ARTICLE 20

RESERVATIONS

No reservations to this Agreement shall be made.

ARTICLE 21

WITHDRAWAL

1. Any Party that withdraws from the Protocol shall be considered as also having withdrawn from this Agreement.

2. There shall be no withdrawal from this Agreement without withdrawal, at the same time, from the Protocol, in accordance with Article 27 of the Protocol.

ARTICLE 22

DEPOSITARY

The Secretary-General of the United Nations shall be the Depositary of this Agreement.

ARTICLE 23

AUTHENTIC TEXT

The original of this Agreement, of which the Arabic, Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned, being duly authorized to that effect, have signed this Agreement.

DONE AT [ ] this [ ] day of [ ][ ].

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